

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RODNEY R. ROBERTS,	:	
	:	Civil Action No. 11-1198 (SDW)
Plaintiff,	:	
	:	
v.	:	
	:	
JENNIFER VELEZ et al.,	:	
	:	<u>O R D E R</u>
Defendants.	:	

For the reasons detailed in the Opinion filed herewith,

IT IS on this 12th day of July, 2011,

ORDERED that Plaintiff's applications to proceed in forma pauperis is granted; and it is further

ORDERED that the Clerk shall file the Complaint, Docket Entry No. 1; and it is further

ORDERED that all Plaintiff's claims based on allegations other than complete denial of medical treatment are dismissed, with prejudice, for failure to state a claim upon which relief can be granted; and it is further

ORDERED that Plaintiff's claims asserting complete denial of medical treatment are proceeded past the sua sponte dismissal stage; and it is further

ORDERED that the Clerk shall issue summons, and the United States Marshal shall serve the complaint, summons, Opinion filed herewith and this Order upon Defendants, pursuant to 28 U.S.C. § 1915(d); and it is further

ORDERED that served Defendants shall file and serve a responsive pleading within the time specified in Federal Rule of Civil Procedure 12, pursuant to 42 U.S.C. § 1997e(g)(2); and it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(e)(1) and § 4(a) of Appendix H of the Local Civil Rules, the Clerk shall notify Plaintiff of the opportunity to apply in writing to the assigned judge for the appointment of pro bono counsel in accordance with the factors set forth in Tabron v. Grace, 6 F.3d 147 (3d Cir. 1993), cert. denied, 510 U.S. 1196 (1994), which sets forth the requirements for eligibility for appointment of pro bono counsel. Plaintiff is expressly advised that such appointment is neither guaranteed nor automatic; and it is further

ORDERED that the Clerk shall enclose with such notice a copy of Appendix H and a form Application for Appointment of Pro Bono Counsel; and it is further

ORDERED that, if at any time Plaintiff seeks the appointment of pro bono counsel, pursuant to Fed. R. Civ. P. 5(a) and (d), Plaintiff shall (1) serve a copy of the Application for Appointment of Pro Bono Counsel by regular mail upon each party at his last known address, or, if the party is represented in this action by an attorney, upon the party's attorney at the attorney's address, and (2) file a Certificate of Service with the Application for Pro Bono Counsel; and it is finally

ORDERED that the Clerk of the Court shall serve a copy of this Order on Plaintiff by regular U.S. mail.

s/Susan D. Wigenton
Susan D. Wigenton,
United States District Judge